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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

SECOND APPELLATE DISTRICT

DIVISION THREE

CLAUDIA VAZQUEZ,

Plaintiff and Appellant,

v.

ROBERTO INIGO,

Defendant and Respondent.

B229775

(Los Angeles County
Super. Ct. No. BD486043)

APPEAL from a judgment of the Superior Court of Los Angeles County,
B. Scott Silverman, Judge. Affirmed.

Claudia Vazquez, in pro. per, for Plaintiff and Appellant.

Roberto Inigo, in pro. per., for Defendant and Respondent.

Plaintiff and appellant Claudia Vasquez (wife) appeals a judgment of dissolution of her marriage to defendant and respondent Roberto Inigo (husband).

Wife's sole contention is that the trial court abused its discretion by awarding her insufficient spousal support.

Based on our review of the record, we perceive no abuse of discretion and affirm the judgment.

FACTUAL AND PROCEDURAL BACKGROUND

On October 28, 2010, the matter came on for trial. The parties were sworn and testified.¹

Later that day, the trial court issued an order granting a judgment of dissolution. With respect to spousal support, which is the sole issue on appeal, the trial court ruled as follows: “[Husband] is ordered to pay to [wife] spousal support in the amount of \$600.00 per month, payable 1/2 on the 1st and 15th days of each month, commencing 11-1-10 for a period of 12 months. The Court terminates jurisdiction of spousal support as of December 1, 2011, as to both parties.”

On March 14, 2011, the trial court entered the formal judgment of dissolution.

On December 27, 2010, wife filed a premature but timely notice of appeal from the judgment. (Cal. Rules of Court, rule 8.104(d).)

CONTENTIONS

Wife contends the trial court abused its discretion by awarding her insufficient spousal support.

¹ There is no reporter's transcript on appeal.

DISCUSSION

1. *Spousal support.*

a. *Pertinent factors.*

“ ‘Spousal support is governed by statute. [Citation.] In ordering spousal support, the court *must* consider and weigh all of the circumstances enumerated in [Family Code section 4320], to the extent they are relevant to the case before it. [Citations.] The first of the enumerated circumstances, the marital standard of living, is relevant as a reference point against which the other statutory factors are to be weighed. [Citations.] The other statutory factors include: contributions to the supporting spouse’s education, training, or career; the supporting spouse’s ability to pay; the needs of each party, based on the marital standard of living; the obligations and assets of each party; the duration of the marriage; the opportunity for employment without undue interference with the children’s interests; the age and health of the parties; tax consequences; the balance of hardships to the parties; the goal that the supported party be self-supporting within a reasonable period of time; and any other factors deemed just and equitable by the court. [Citation.]’ [Citation.]” (*In re Marriage of Ackerman* (2006) 146 Cal.App.4th 191, 207 (*Ackerman*).)

b. *Standard of appellate review.*

Our review of the trial court’s ruling is deferential. The trial court has broad discretion in balancing the applicable statutory factors and determining the appropriate weight to accord to each applicable factor. (*Ackerman, supra*, 146 Cal.App.4th at p. 207.) The ultimate decision as to amount and duration of spousal support rests within the trial court’s broad discretion and will not be reversed on appeal absent an abuse of that discretion. (*Ibid.*)

2. *No showing of abuse of discretion.*

Wife contends the trial court abused its discretion by awarding her insufficient spousal support. Wife asserts the trial court awarded spousal support “for a term of approximately half the 4 year and 3 month ‘Nevada’ marriage.” Wife argues the trial court “knew that [the parties] were in a previous legal Mexican common law marriage for over 10 years” and therefore should have awarded spousal support based on the existence of a long term marriage.²

It is unnecessary to address whether, in determining spousal support, the trial court should have considered the impact, if any, of the parties’ alleged relationship while they resided in Mexico. Wife, the appellant, has not furnished a reporter’s transcript of the trial. It was wife’s burden, as the appellant, to present an adequate record for review. (9 Witkin, Cal. Procedure (5th ed. 2008) Appeal, § 628, p. 704.) Apart from statements in the appellant’s opening brief, there is nothing in the record before this court to indicate the parties cohabited in Mexico.³

Given the state of the record, this court is not in a position to address the merits of wife’s contentions. Because the record does not support wife’s assertion the parties had a 10-year common law marriage in Mexico, this court does not reach the issue of whether a foreign common law marriage should be factored into the determination of spousal support.

² Wife seeks to bring herself within Family Code section 4336, subdivision (b), which states: “For the purpose of retaining jurisdiction, there is a presumption affecting the burden of producing evidence that *a marriage of 10 years or more, from the date of marriage to the date of separation, is a marriage of long duration.*” (Italics added.)

³ Husband denies that the parties cohabited in Mexico. His respondent’s brief states the parties never lived together in Mexico “and were only in a dating basis relationship.”

DISPOSITION

The judgment is affirmed. The parties shall bear their respective costs on appeal.

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KLEIN, P. J.

We concur:

CROSKEY, J.

ALDRICH, J.